

EXHIBIT A

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION

EWE GROUP, INC., doing)
business as Sweet Hut Bakery)
& Cafe,)

)
Plaintiff,)

Civil Action No.

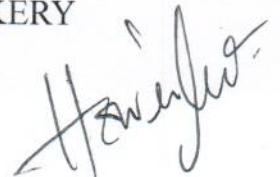
)
v.) 1:14-cv-2377-TCB

)
THE BREAD STORE, LLC,)
doing business as Sweet)
Talk Bakery & Cafe,)
)
Defendant.)

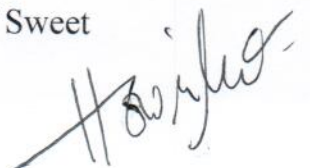
**DECLARATION OF SEONG TAT EWE IN SUPPORT OF PLAINTIFF'S
MOTION FOR TEMPORARY RESTRAINING ORDER**

I, SEONG TAT EWE, hereby declare under penalty of perjury that the facts set forth herein are true and correct to the best of my knowledge and belief, and, if called as a witness, I could and would testify competently as I set out below:

1. My name is Seong Tat Ewe ("Howie"). I am over eighteen years of age and am competent to testify about the matters set forth herein. I have personal knowledge of the matters set forth herein.
2. I am an owner and the head chef at Sweet Hut Bakery & Cafe in Doraville, Georgia. The first Sweet Hut Bakery & Cafe restaurant was opened in April 2012. Sweet Hut Bakery and Cafe has quickly become known in Atlanta and the surrounding areas for offering unique and high quality Asian delicacies, desserts, bakery and baked goods, and teas, as well as other dishes and drinks. In particular Sweet Hut Bakery & Cafe specializes in Taiwanese baked goods and offers its goods and services in a modern, unique, and distinctive restaurant setting.
3. Sweet Hut Bakery & Cafe has had resounding success, including recognition by the City of Doraville as a model business and restaurant. As a result of the success of the first location, Sweet Hut Bakery & Café has plans to open three more SWEET HUT BAKERY



- & CAFE restaurant locations, two of which are scheduled to open in 2014. The second location will be in Midtown Atlanta at 933 Peachtree Street, Suite 935, Atlanta, Georgia, and is set to open in September 2014. The third location will be in Duluth at 2180 Pleasant Hill Road, Suite A18, Duluth, Georgia 30091, and is currently scheduled to open in December 2014. For reasons explained below, the prospect of this Duluth location has been severely and negatively impacted by Defendant. The fourth location will be in Norcross, Georgia, and is currently scheduled to open in early 2016.
4. Sweet Hut Bakery & Cafe has been using the marks SWEET HUT®, SWEET HUT BAKERY & CAFE, and SWEET HUT BAKERY & CAFE & Design (collectively referred to as the "SWEET HUT BAKERY & CAFE Marks") in connection with café, restaurant, and bakery services, as well as with bakery goods, since at least as early as April 8, 2012.
 5. Sweet Hut Bakery & Cafe owns U.S. Trademark Registration No. 4,382,937 on the Principal Register for the mark SWEET HUT® in connection with "Bakery products, namely, sweet bakery goods" in International Class 30.
 6. I contributed to the design of the overall look, design, and décor of Sweet Hut, including the faux dark wood ceramic floor tiles adjacent to white tile flooring, white wavy tiled walls behind booths and behind the counter, pink booths separated by a hanging divider, pendant lighting hanging over said booths and adjacent said divider, ceiling with fanciful arc design, unique menu, and the placement of LCD menu boards broadcasting that menu above the counter and in front of white wavy tiled wall. I also worked with a design firm, Studio Song, to create the unique color scheme of Sweet Hut, consisting of orange, purple, pink and white. These features of the Sweet Hut Bakery & Cafe are continuously promoted in advertising, marketing and sales. The purpose of these designs is non-functional, but I sought and captured an inherently distinctive and unique look for the restaurants. These designs and features have been used for over two years for the purpose of achieving widespread acceptance and recognition among the public and in the trade to create valuable goodwill for the restaurant.
 7. Sweet Hut Bakery & Cafe has invested a substantial amount of time and money – approximately \$2,000 per month – in advertising and promoting the company's products and services under the SWEET HUT BAKERY & CAFE Marks and with the unique combination of features described above. The public and trade identify the Marks and the unique features with Sweet Hut Bakery & Cafe.
 8. In May 2013, Dino Chow applied for a position as an employee at Sweet Hut. Mr. Chow trained at Sweet Hut for two days before informing Rachel Ewe, manager at Sweet Hut, via email on June 3, 2013 that he was no longer interested in the position. During Mr. Chow's training, he had access to and viewed all of Sweet

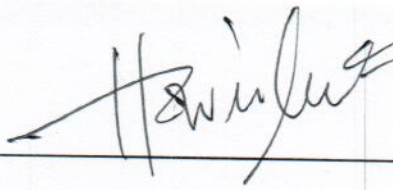


9. Hut's restaurant décor, menus, cake designs, packaging, and other interior designs. Mr. Chow expressed an interest in becoming a manager at Sweet Hut during this training.
10. I understand that Mr. Chow is now a part owner of Sweet Talk Bakery & Cafe.
11. When I was in Taipei in March 2014, my bakery equipment supplier, Supermax Equipment Industry Corporation, informed me that a newly planned restaurant, Sweet Talk Bakery & Cafe, had purchased from Supermax in March 2014 bakery equipment similar to the equipment Sweet Hut had previously purchased and which Mr. Chow had viewed at Sweet Hut during his training the year before.
12. In April 2014, a representative of Sweet Talk Bakery & Cafe's contractor, Debao Construction Incorporated ("Debao"), visited Sweet Hut Bakery & Cafe and measured our bakery cabinets and the height of our ceiling. When one of Sweet Hut Bakery & Cafe's managers asked the Debao worker what he was doing, the worker said he was measuring for "a bakery at Exit 104," where the Sweet Talk Bakery & Cafe is located. The Debao representative told a Sweet Hut Bakery & Cafe manager, Wai Liao, that he thought that Sweet Hut and Sweet Talk had the same owners.
13. On or around June 4, 2014, Mr. Chow personally visited our planned Sweet Hut Midtown restaurant, which was not yet open to the public. During the visit, Mr. Chow asked several of the Sweet Hut contractors about the design of the restaurant. I learned of this visit and the conversation shortly thereafter from our contractors.
14. After June 4, 2014, I had the opportunity to view Sweet Talk Bakery & Cafe's interior design and décor. I was shocked at the copying of Sweet Hut Bakery & Cafe's unique design and décor that was readily apparent. For example, I viewed the faux dark wood ceramic floor tiles, which were adjacent to white tile flooring, and white wavy tiled walls behind booths and behind the counter, and pink booths separated by a hanging divider, and even pendant lighting hanging over those booths and over the adjacent divider. I also saw that the ceiling had a similar fanciful arc design to the Sweet Hut design. Finally, I was shocked to see the Sweet Talk Bakery & Cafe menu and the placement of LCD menu boards broadcasting that menu above the counter and in front of white wavy tiled wall, just like what I had designed for Sweet Hut. Attached as **Exhibit 1** are a series of photographs that accurately depict the Sweet Talk Bakery & Cafe as I observed it, as well as the Sweet Hut Bakery & Cafe as I designed it.
15. At no time has Sweet Hut Bakery & Cafe given Sweet Talk Bakery & Cafe consent, sponsorship, or authorization to use its restaurant features or trade name.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct to the best of my knowledge and belief. Executed on August 5, 2014, in Atlanta,



Georgia, United States of America.

A handwritten signature in black ink, appearing to read 'Seong Tat Ewe', written over a horizontal line.

Seong Tat Ewe

EXHIBIT 1



Sweet Hut Counter



Sweet Talk Counter



Sweet Hut Wavy Tile Wall



Sweet Talk Wavy Tile Wall



Sweet Hut Arc Ceiling



Sweet Talk Arc Ceiling



Sweet Hut Cake Packaging



Sweet Talk Cake Packaging